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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE OCZ TECHNOLOGY GROUP,
INC. SHAREHOLDER DERIVATIVE
LITIGATION

) Lead Case No. C-12-05556-RS

) (Consolidated with Case Nos. C-12-06058-
) RS, C-12-06343-RS)

This Document Relates To:

ALL ACTIONS

) STIPULATION AND ~~PROPOSED~~
) ORDER CONTINUING CASE
) MANAGEMENT CONFERENCE AND
) EXTENDING DEADLINE FOR
) PLAINTIFFS' CONSOLIDATED
) COMPLAINT

STIPULATION AND ~~PROPOSED~~ ORDER CONTINUING CASE MANAGEMENT CONFERENCE
AND EXTENDING DEADLINE FOR PLAINTIFFS' CONSOLIDATED COMPLAINT
CASE NO. C-12-05556-RS

1 WHEREAS, three related shareholder derivative actions¹ against certain of the officers
2 and directors of OCZ Technology Group, Inc. ("OCZ" or the "Company") were filed in this
3 Court;

4 WHEREAS, on January 14, 2013, the Court entered an order consolidating the Related
5 Actions, appointing Co-Lead Counsel, and setting a deadline of January 25, 2013, for plaintiffs
6 to file a consolidated complaint;

7 WHEREAS, the initial Case Management Conference ("CMC") in the *Cassiman* and
8 *Vanderschaaf* actions are set for February 7, 2013, and the initial CMC in the *Morton* Action is
9 set for March 21, 2013;

10 WHEREAS, OCZ has announced that it intends to restate its financial results for certain
11 fiscal periods;

12 WHEREAS, plaintiffs have requested that the deadline to file the consolidated complaint
13 be extended until after OCZ files its restated financial results with the Securities and Exchange
14 Commission ("SEC"), and defendants have agreed to plaintiffs' request; and

15 WHEREAS, the parties have met and conferred regarding the upcoming CMCs and the
16 related ADR and CMC deadlines and agree that, given the current procedural posture, and in
17 particular, the fact that the operative complaint has not yet been filed, the CMC and related CMC
18 and ADR deadlines should be extended as set forth below.

19 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, subject to Court
20 approval, by plaintiffs and defendants, through their respective counsel of record, as follows:

21 1. The CMCs scheduled for February 7, 2013, and March 21, 2013, and the related
22 CMC and ADR deadlines, are vacated. The initial CMC for this consolidated derivative action
23

24 ¹ The related actions are: (i) *Cassiman v. Petersen, et al.*, No. C-12-05556-RS, filed October 29,
25 2012 (the "*Cassiman* Action"); (ii) *Vanderschaaf v. Petersen, et al.*, No. C-12-06058-RS, filed
26 November 29, 2012 (the "*Vanderschaaf* Action"); and (iii) *Morton v. Schmitt, et al.*, No. C-12-
27 06343-RS, filed December 14, 2012 (the "*Morton* Action" and, collectively, the "Related
28 Actions").

1 will be rescheduled to occur on the same date and time as the hearing on defendants' anticipated
2 motion to dismiss, as discussed below.

3 2. The parties shall file a Joint Case Management Statement at least one week prior
4 to the initial CMC.

5 3. Plaintiffs shall file a Consolidated Complaint ("Consolidated Complaint") within
6 21 days after the Company files with the SEC its financial statements for the first quarter of
7 fiscal 2013, as well as the results for the fiscal year 2012, including any and all restatements,
8 unless otherwise agreed upon by the parties or ordered by the Court.

9 4. Defendants shall respond to the Consolidated Complaint within forty-five days
10 after service, unless otherwise agreed by the parties or ordered by the Court. In the event that
11 defendants file any motions directed at the Consolidated Complaint, the opposition and reply
12 briefs shall be filed within forty-five and twenty-one days, respectively, of the motions, unless
13 otherwise agreed upon by the parties or ordered by the Court. The parties agree to confer to
14 select a hearing date for any such motions.

15 Dated: January 23, 2013

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18 s/ George C. Aguilar
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Dated: January 23, 2013

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and Nominal Defendant OCZ Technology Group,
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Dated: January 23, 2013

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Counsel for Defendant Arthur F. Knapp, Jr.

1 I, George C. Aguilar, am the ECF User whose ID and password are being used to file this
2 Stipulation and [Proposed] Order Continuing Case Management Conference and Extending
3 Deadline for Plaintiffs' Consolidated Complaint. In compliance with General Order No. 45,
4 X.B., I hereby attest that Diane Walters and Norman J. Blears have concurred in this filing.

5
6 s/ George C. Aguilar
GEORGE C. AGUILAR

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8
9 * * *

10 **ORDER**

11 PURSUANT TO STIPULATION, IT IS SO ORDERED.

12 1/23/13

13 DATED

14 
15 HONORABLE RICHARD SEEBORG
16 UNITED STATES DISTRICT JUDGE
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